

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HAJA SILLAH,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

CASE NO. C15-1852 RSM

ORDER OF REMAND

Having considered defendant's motion to remand (Dkt. 12), plaintiff's response (Dkt. 14), the Report and Recommendation of United States Magistrate Judge Mary Alice Theiler, and the remaining record, it is hereby ORDERED:

- (1) The Court adopts the Report and Recommendation;
- (2) The Court REVERSES and REMANDS this matter for further administrative proceedings pursuant to sentence six of 42 U.S.C. § 405(g);
- (3) On remand, the Commissioner and Appeals Council will expedite the case and have **sixty (60) days** to continue to search for the missing September 25, 2013 recording. If the recording cannot be located, the Appeals Council, within that

1 same **sixty-day period**, will remand the case for a *de novo* hearing to be held  
2 within **ninety (90) days** of the date of the Appeals Council's remand order;

3 (4) The Court will retain jurisdiction over the action pending further administrative  
4 proceedings. If the outcome of those proceedings is unfavorable to plaintiff,  
5 plaintiff may seek judicial review by reinstating this case rather than by filing a  
6 new Complaint. If the outcome is favorable to plaintiff, the parties will move this  
7 Court for entry of Judgment; and

8 (5) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.

9 DATED this 22<sup>nd</sup> day of April 2016.

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12 RICARDO S. MARTINEZ  
13 CHIEF UNITED STATES DISTRICT JUDGE  
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